

## **MINUTES**

### **UTAH FUNERAL SERVICE BOARD MEETING**

**November 15, 2007**

**Room 475 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:08 A.M.

**ADJOURNED:** 10:42 A.M.

**Bureau Manager:**  
**Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

Reginal V. Ecker, Chairperson  
Mark Walker  
Joseph W. Thalman  
Allyn Walker  
Mary W. Bernson

**Board Members Absent:**

Ned Nordgren  
Vacant Position

**DOPL Staff Present:**

David Stanley, Division Director

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

#### **ADMINISTRATIVE BUSINESS:**

#### **MINUTES:**

The minutes from the September 20, 2007 meeting were read.

Mr. Allyn Walker made a motion to approve the minutes as read. Mr. Thalman seconded the motion.  
**The Board vote was unanimous.**

#### **APPOINTMENTS:**

#### **10:00 A.M.**

Robert Wilcoxon, Probationary Interview

Mr. Wilcoxon met for his probationary interview.

Ms. Taxin was requested to conduct the interview.

**Ms. Taxin stated that she informed the Board that**

**Mr. Wilcoxon had hand delivered all reports and CE information to the Division. She expressed appreciation to Mr. Wilcoxon for making sure all information was submitted prior to the Board meeting. Ms. Taxin stated that all reports indicated Mr. Wilcoxon is doing a good job in his practice by filling out contracts appropriately and filing them appropriately. She stated that Dr. Ahern's, the therapist, report indicates that he is maintaining abstinence with his gambling issue. She informed Mr. Wilcoxon that Mr. Ecker contacted Mr. Ballard, his supervisor; to be sure Mr. Ballard understood what he is required to review with Mr. Wilcoxon. She stated that Mr. Ecker is going to contact Mr. Ballard again to be sure he addresses more detailed information in his reports.**

**Ms. Taxin requested Mr. Wilcoxon to update the Board regarding where he is in relation to his probation.**

Mr. Wilcoxon responded that he has no problems with his gambling issue. He stated that the biggest test was when he went to Las Vegas, Nevada, to complete the CE and take the examination. He stated that previously he had gone to Las Vegas with his wife to attend a soccer game and they stay away from the strip. He stated that this time he drove down late and got up early the next morning to attend classes all day and to study for the test late into the night. He stated that he took the test early the next morning and drove straight home. Mr. Wilcoxon commented that he had no urges to go into a casino or to watch late night card games on TV. He stated that an addict is never cured and he knows he has to stay away from the hot zones that lead to that type of temptation. Mr. Wilcoxon stated that being the lone Funeral Director running the business keeps him very busy. He stated that this experience has been hard for him and very humbling for him. He stated that he no longer feels he is living a double life and the hammer coming down was probably the best thing that could happen for him. He stated that the last 5 years have been pretty crappy for him. He stated that an addict struggles each and every day but as time goes on he no longer thinks about

gambling. He stated that now he turns down friends who pool for the Super Bowl.

**Ms. Taxin stated that Mr. Wilcoxon intermingled his addiction with his business. She asked him to address how he would ensure to the Board that the public will be safe with his funeral services in the future.**

Mr. Wilcoxon responded that desperate people do desperate measures. He stated that he had a huge debt that was cause from his addiction. Mr. Wilcoxon stated that he now realizes that he has a problem and there is no more a state of denial. He stated that he has no desire to do something else at his age and understands that if he gambles again he is finished with his profession. He stated that he could also loose his wife and family and does not want to loose them. He stated that the important things in his life have come to the surface and he does not want to start over. Mr. Wilcoxon stated that he is no longer in the web of gambling and he now knows he has too much to loose.

**Allyn Walker commented that he applauds Mr. Wilcoxon's efforts. He stated that there are always concerns regarding if his ethics are right there as he works with the public. He stated that the Board is concerned to know that the public is protected and Mr. Wilcoxon is doing what he needs to do.**

Mr. Wilcoxon stated that he does not want to sway or defraud the public. He stated that in the last year and a half he has learned what ethics really means. He stated that for 25 years of his career there were never any ethical issues.

**Mr. Thalman asked if Mr. Wilcoxon has found anyone to assist him in the business.**

Mr. Wilcoxon responded that he has a son who is coming home from a mission in January and he will be working with him. He stated that his son knows that he has made mistakes, has forgiven him and wants to work with him. He stated that children put their dad on a ladder and when he falls it is hard for them as he should have known better. He stated that he now has

more empathy and sympathy for others who fall. He stated that he has taken a new look at himself and the general public and now asks how he would want to be treated and handled. He stated that it was never his intent to harm the public. Mr. Wilcoxon stated that when there are problems they need to be confronted and faced honestly.

**Ms. Taxin stated that Mr. Wilcoxon's son would need to be licensed as an Intern to work with him.**

**Allyn Walker cautioned Mr. Wilcoxon be careful with the stress of overworking.**

**Ms. Taxin stated that the Board reviewed Mr. Wilcoxon's Stipulation and Order prior to his appointment. She stated that he has completed all the requirements but his ongoing reports and the time. Ms. Taxin stated that Del Ballard has reported on a number of occasions that Mr. Wilcoxon has been practicing ethically and he is unsure what to continue to supervise due to Mr. Wilcoxon's compliance. Ms. Taxin stated that the Stipulation and Order allows for Mr. Wilcoxon to request early termination after 18 months of probation. She stated that the Board has determined that Mr. Wilcoxon is now aware of the ethical issues of his actions and Dr. Ahern and Mr. Ballard have reported that he is now aware. She asked Mr. Wilcoxon if he would like to continue to meet with the Board until 2009 or submit letters from Dr. Ahern, Mr. Ballard and Jan regarding they would be supportive of early termination for the Board to consider at the next Board meeting. She stated that each would need to submit a letter that they support early termination and that Mr. Wilcoxon has worked on his issues. She stated that Dr. Ahern's letter should address that Mr. Wilcoxon has coping methods in place and would not be a harm to the public. Ms. Taxin stated that the quarterly reports from Mr. Ballard and Jan would still need to be submitted. Ms. Taxin stated that Mr. Wilcoxon would also need to write a letter requesting early termination, why he is requesting the Board to consider early termination and how he would be a safe practitioner.**

**Ms. Bearnson asked if Mr. Wilcoxon has plans to meet again soon with Dr. Ahern.**

Mr. Wilcoxon responded that he still meets monthly with Dr. Ahern.

**Mr. Ecker stated that at the last meeting he suggested Mr. Wilcoxon check into the 12 step program for people with addictions. He stated that the regular meetings are a check for people. He stated that the 12 step program is a good program for Mr. Wilcoxon and his spouse so there is a constant help mechanism. He stated that we never know when we will slip and Mr. Wilcoxon does not know what will transpire. He requested Mr. Wilcoxon to look into the program and attend a class. He stated that the program can be used in conjunction with Dr. Ahern's therapy and would help him when the probation is completed. Mr. Ecker stated that any kind of addiction has a tenancy for a relapse.**

Mr. Wilcoxon responded that Dr. Ahern mentioned in their last appointment that relapse is common for addicts. He stated that meeting with the Board is a support right now but he believes he might need some support group after probation is completed.

**Ms. Taxin informed Mr. Wilcoxon that there is also a group called Professionals in Recovery (PIR). She stated that she would give Mr. Wilcoxon the information regarding who to contact for the PIR group.**

Mr. Wilcoxon responded that knowing he is not the only person in the world who has made a mistake is good. He stated that he is concerned about completing his probation.

**Ms. Taxin stated that at the next appointment the Board could consider reducing the frequency of Mr. Wilcoxon's appointments.**

**An appointment was made for Mr. Wilcoxon to meet again on February 20, 2008.**

Mr. Wilcoxon left the meeting.

**Mark Walker and Allyn Walker asked if Mr. Wilcoxon would be allowed to supervise while on probation.**

**Ms. Taxin responded that Mr. Wilcoxon's Stipulation and Order does not say he cannot supervise.**

**Allyn Walker stated that Mr. Wilcoxon's son would need to be licensed as an Intern if he working with Mr. Wilcoxon.**

**Ms. Taxin stated that Allyn Walker is correct in that the son would need to be licensed as an Intern.**

**Mr. Thalman asked if an exception could be made to the Laws and Rules to allow Mr. Wilcoxon's to supervise his son as an Intern.**

**Ms. Taxin responded that it would not be an exception to the Laws and Rules as Mr. Wilcoxon's Stipulation and Order does not say that he cannot supervise. She stated that the issue should be addressed at Mr. Wilcoxon's next appointment.**

## **DISCUSSION ITEMS:**

### Letter to Funeral Establishments

Ms. Taxin informed the Board that there are several Funeral Service Establishments who have not notified the Division of who their Preneed Sales Agents are. She stated that when renewal time comes these Agents will not be allowed to renew until they have been associated with an Establishment. Ms. Taxin read a letter that was prepared to notify the Establishments. She stated that a form will be attached to the letter for the Establishments to return with the information of each Preneed Sales Agent who is associated with that Establishment.

**The Board requested a few minor revisions to the letter and thanked Ms. Taxin for preparing the information prior to renew time.**

#### Law and Rule Examination Review

Ms. Taxin presented the new Laws and Rules examination to the Board. She stated that the examination will be included in each application. Ms. Taxin asked the Board to review the questions to be sure they read correctly. She stated that changes can always be made.

**Following the review, Ms. Bearnson made a motion to accept the examination as written and to include it as soon as possible in all Funeral Service applications.**

**Mr. Thalman seconded the motion.**

**The Board vote was unanimous.**

Ms. Taxin stated that she will have the examination included in the applications and they will be posted on the website tomorrow. She stated that applicants will not have to pay for the examination. Ms. Taxin stated that the examination will make applicants review the Laws and Rules and the goal is to have people be familiar with them.

#### 2008 Board Meeting Schedule

**The Board noted the following dates for the 2008 Board meeting schedule: February 20, May 21, August 20 and November 12, 2008.**

Ms. Bearnson notified the Board that she will be out of town on February 20, 2008, and may be out of town May 21, 2008.

**Ms. Taxin stated that the dates may need to be adjusted if more Board members are unable to attend.**

#### Vacant Position

Ms. Taxin informed the Board that there is still a vacant position on the Board. She stated that she talked with Mr. Myers, Mr. McMillan and Mr. Magleby about submitting a name but to date has not received a name. She asked if a Board member would contact the Association as they should have some input for Board members. Ms. Taxin stated that she will need a letter of interest and a resume from the potential Board member.

**Mr. Ecker volunteered to contact the Association.**

Ms. Taxin thanked Mr. Ecker and asked him to have the Association submit a name by November 26, 2007. She stated that they can e-mail the information to her or mail it to her.

FYI

Ms. Taxin notified the Board that the new Rules should be effect about December 10, 2007. She explained that Mr. Myers and Mr. Magleby brought up an error after the Rules Hearing and the Hearing had to be reopened to correct the error. Ms. Taxin stated that if there are no additional comments then the Rules go into effect December 10, 2007. Ms. Taxin explained further for Mark Walker who was absent for the Rules Hearing.

She stated that she could put a statement regarding the new Rules at the bottom of the letter being sent to the Establishments.

**Allyn Walker requested that she include a statement that the Establishments will be held accountable to know and follow the new Laws and Rules.**

**CORRESPONDENCE:**

Funeral Consumers Alliance Newsletter,  
Summer 2007

The Board reviewed the Funeral Consumers Alliance Newsletter. **Mark Walker asked to take the newsletter as he does not receive it at his Establishment.**

Jennifer Bolton e-mail regarding LA Times  
Article on Pre-Paid Funerals

The Board reviewed the news article. The Board noted that Shaun Meyer was quoted in the article. **No action was taken.**

**NEXT MEETING SCHEDULED FOR:**

February 20, 2008



**ADJOURN:**

The time is 10:42 am and the meeting is adjourned.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

May 21, 2008  
Date Approved

(ss) Reginal Ecker  
Chairperson, Utah Funeral Service Licensing Board

December 3, 2007  
Date Approved

(ss) Noel Taxin  
Bureau Manager, Division of Occupational &  
Professional Licensing